

E-FILED 09-22-2011

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

BONIFACIO CARRERA,

No. C09-02672 HRL

Plaintiff,

**ORDER TO SHOW CAUSE WHY THIS
ACTION SHOULD NOT BE DISMISSED
FOR FAILURE TO PROSECUTE AND
FAILURE TO COMPLY WITH COURT
ORDERS**

v.

THYSSEN KRUPP SAFEWAY, INC. and
DOES 1 to 100, inclusive,

Defendant.

On March 8, 2011, this court issued an order that, among other things, re-set the final pretrial conference for September 27, 2011. That order directed the parties to comply with the undersigned's Standing Order re Pretrial Preparation with respect to the timing and content of the Joint Pretrial Statement and other submissions. (Docket No. 59, March 8, 2011 Order). Defendant has timely submitted its pretrial papers. Plaintiff has not made any pretrial filings. Nor has he responded to defendant's motions in limine. And, all deadlines for pretrial submissions have passed.

On July 18, 2011, plaintiff's counsel Gerald Scher filed a letter with the court, advising that his license was suspended by the California State Bar, beginning June 18, 2011 through September 17, 2011. (Docket No. 66). Nevertheless, Scher's letter stated that another (unidentified) attorney in his office would be handling the matter during his suspension. (Id.).

1 To date, no appearance has been made by any other attorney on plaintiff's behalf.

2 Accordingly, Gerald Scher is ordered to appear at the final pretrial conference, which
3 remains on calendar for September 27, 2011, 1:30 p.m., and show cause why this case should
4 not be dismissed for failure to prosecute and failure to comply with this court's orders.

5 SO ORDERED.

6 Dated: September 22, 2011

7 
8 _____
9 HOWARD R. LLOYD
10 UNITED STATES MAGISTRATE JUDGE
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

5:09-cv-02672-HRL Notice has been electronically mailed to:

Frank Edward Schimaneck feschimaneck@drydenlaw.com, llbenson@drydenlaw.com,
lpnewman@drydenlaw.com, sefoe@drydenlaw.com

Gerald Herbert Scher geraldsher@sbcglobal.net, chaparita30@sbcglobal.net,
marysanchez1970@yahoo.com

Roger Arne Agen raagen@drydenlaw.com

Susan E. Foe sefoe@drydenlaw.com, llbenson@drydenlaw.com, lpnewman@drydenlaw.com

William John Armstrong barmstrong@acs-lawfirm.com

Counsel are responsible for distributing copies of this document to co-counsel who have not
registered for e-filing under the court's CM/ECF program.